

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MONROE WEEKLEY III, Inmate ID No. KS-9184
SCI-ALBION, 10745, Route 18,
ALBION, PA 16475-0002

1:22-CV-279

(Enter above the full name and address
of the plaintiff in this action)

VS.

SGT. PROVIDENT, SCI-ALBION
10745, Route 18
ALBION, PA 16475-0002

(Enter above the full name, title, and
business address of each defendant in
this action)

RECEIVED

SEP 29 2022

CLERK, U.S. DISTRICT COURT
FOR THE WESTERN DISTRICT
OF PENNSYLVANIA

Plaintiff brings this action against the above named and identified defendants on the following cause in this action.

I. Where are you now confined? State Correctional Institute at ALBION

What sentence are you serving? 24 1/2 years to 52 years

What court imposed the sentence? Court of Common Pleas of Beaver County

II. Previous Lawsuits

A. Describe any and all lawsuits in which you are a plaintiff which deal with the same facts-
involved in this action. (If there is more than one lawsuit, describe the additional lawsuits on
another piece of paper, using the same outline.)

1. Parties to this previous lawsuit
Plaintiffs NOT APPLICABLE

Defendants NOT APPLICABLE

2. Court (if federal court, name the district; if state court, name the county) and docket
number

3. Name the judge to whom case was assigned NOT APPLICABLE

4. Disposition (For example: Was the case dismissed? Was it appealed? Is it still
pending?) NOT APPLICABLE

ADDITIONAL DEFENDANTS:

Officer Cole, SCI-ALBION
10745, Route 18
ALBION, PA 16475-0002

Officer Drayer, SCI-ALBION
10745, Route 18
ALBION, PA 16475-0002

EBONY FRITH, UNIT MANAGER
SCI-ALBION
10745, Route 18
ALBION, PA 16475-0002

5. Approximate date of filing lawsuit NOT APPLICABLE
6. Approximate date of disposition NOT APPLICABLE
- B. Prior disciplinary proceedings which deal with the same facts involved in this action:
- Where? Two misconducts allegedly occurring on DB unit in SCI-ALBION
 When? First misconduct filed on 1/3/2021 Second misconduct filed 3/26/2021
 Result: First Misconduct (No. D524936) was Dismissed with Prejudice; Second Misconduct (No. D207763) was ultimately the adverse action which caused the removal of my Housing and work assignment.
- III. What federal law do you claim was violated? Retaliatory Conduct; Violation of the First Amendment's Redress of Grievance Clause
- IV. Statement of Claim
 (State here as briefly as possible the facts of your case. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)
- A. Date of event: 12/10/2019 through 4/14/2021
- B. Place of event: D/B Unit at SCI-ALBION
- C. Persons involved--name each person and tell what that person did to you: On December 10, 2019, I filed a complaint pursuant to the Prison Rape Elimination Act (PREA) against SGT. Provident. Subsequent to filing the PREA complaint, on January 3, 2021, SGT. Provident retaliated against me for filing the PREA complaint by conspiring to have Officer Cole write a frivolous and meritless misconduct report on me pursuant to Department of Corrections policy DC-ADM 801 (Misconduct No. D524936). Misconduct No. D524936 was dismissed with prejudice. On March 26, 2021, SGT. PROVIDENT Conspired again but this time with Officer Drayer, to have Officer Drayer write a another misconduct (Misconduct No. D207763), as retaliation for filing the PREA complaint. Instead of having Misconduct No. D207763 assigned to a Hearing Examiner, it was assigned to Unit Manager Ebony Frith for disposal. On April 14, 2021, SGT. Provident came to my cell and started to verbally abuse me, which became a verbal altercation between him and I. I asked SGT. Provident to have this incident observed by the Unit Officer or a Lieutenant and he said no. During this time, Officer Wernicki and Officer Abreu were conducting random security cell searches on the unit. Officers Wernicki and Abreu tried to intervene, but SGT Provident would not allow their intervention. They told me to ...

SECTION IV.C., PERSONS INVOLVED (Continued)

...write to the security department as well as other staff; inform them of the problem with Sgt. Provident; and request that the video footage of this incident be saved in case I suffer further adverse actions at the hands of Sgt. Provident after this incident . They also told me to include their names as witnesses to this incident. Under the guise of disposing of Misconduct No. D207763, Unit Manager Ebony Frith moved me off the unit and caused me to be removed from work assignment on that very same day (April 14, 2021).

V. Did the incident of which you complain occur in an institution or place of custody in this District? If so, where? Yes. State Correctional Institution at ALBION,
10745 Route 18, Albion, PA 16475
and answer the following questions:

A. Is there a prisoner grievance procedure in this institution?
Yes(☒) No(☐)

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?
Yes(☒) No(☐)

C. If your answer is Yes,

1. What steps did you take? I filed an initial grievance pursuant to
Department of Corrections Policy DC-ADM804, and exhausted all
administrative remedies.

2. What was the result? The initial grievance was denied, and all appeals
of the initial denial were upheld.

D. If your answer is NO, explain why not: NOT APPLICABLE

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes(☐) No(☐)

F. If your answer is Yes,

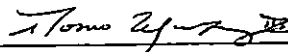
1. What steps did you take? NOT APPLICABLE

2. What was the result? NOT APPLICABLE

VI. Relief
State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no
cases or statutes. Punitive damages in the amount of \$250,000.00

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
CORRECT.

9/22/2022
(Date)


(Signature of Plaintiff)